

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE SUTERO QUINTERO,  
Petitioner.

Case No. 20-04002 BLF (PR)

**ORDER ADDRESSING  
PETITIONER'S REQUEST**

(Docket No. 9)

Petitioner is a federal prisoner at FCI Dublin who filed this action in *pro se*. Dkt. No. 1. This action was dismissed on August 10, 2020, for Petitioner's failure to file a form petition and an application to proceed *in forma pauperis* ("IFP"). Dkt. No. 7. Judgment was entered the same day. Dkt. No. 8.

On August 20, 2020, Petitioner filed a letter indicating that he never received Docket Nos. 1 through 4 in this matter. Dkt. No. 9. He also indicates some confusion as to the status of this action. *Id.*


Plaintiff is advised that the matter was closed for the reasons stated above. Furthermore, the Court notes that in the letter initiating this action, Petitioner indicated that he wished to "transfer" his case from Phoenix, Arizona to this district in order to file a motion for compassionate release in this Court, which is the district of confinement. Dkt. No. 1. Requests for compassionate release may be brought under 18 U.S.C. § 3582(c).

1 However, requests for relief under § 3582 must be brought in the sentencing court, which  
 2 here appears to be the district court in the District of Arizona. *See Bolden v. Ponce*, No.  
 3 2:20-cv-03870-JFW-MAA, 2020 WL 2097751, at \*2 (C.D. Cal. May 1, 2020) (citing  
 4 *United States v. Rala*, 954 F.3d 594, 595 (3d Cir. 2020)) (“Section 3582’s text requires  
 5 those motions to be addressed to the sentencing court, a point several Circuits have  
 6 noted.”); cf. *United States v. Ono*, 72 F.3d 101, 102 (9th Cir. 1995) (“Because the purpose  
 7 of a [section] 3582 motion is resentencing, a motion under [section] 3852(c) is  
 8 undoubtedly ‘a step in the criminal case’”). Accordingly, Petitioner must file a motion for  
 9 compassionate release in his sentencing court as this Court has no jurisdiction to entertain  
 10 such a motion.

11 The Clerk shall send Petitioner a copy of the docket, copies of documents filed  
 12 under Docket Nos. 1 through 4, and a copy of this order.

13 **IT IS SO ORDERED.**

14 Dated: August 31, 2020

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 16 BETH LABSON FREEMAN  
 17 United States District Judge